



## Town of Frederick Board of Trustees Agenda

Frederick Town Hall  
Board Chambers  
401 Locust Street  
Tuesday, June 14, 2016

**6:20 P.M.**

Group Photos

**6:30 P.M.**

**Work Session**

General Discussion

**7:00 P.M.**

**Regular Meeting**

**Call to Order – Roll Call:**

**Pledge of Allegiance:**

**Approval of Agenda:**

**Special Presentations:**

Carbon Valley Park and Recreation Center – Ross Blackmer, Executive Director

**Public Comment:** This portion of the Agenda is provided to allow members of the audience to provide comments to the Town Board. Please sign in and the Mayor will call you. If your comments or concerns require an action, that item(s) will need to be placed on a later Agenda. Please limit the time of your comments to three (3) minutes.

**Staff Reports:**

A. Administrative Report – Matt LeCerc, Town Manager

B. Town Clerk's Report – Meghan Martinez, Town Clerk

**Consent Agenda:** Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda Items unless a Board member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of the Consent Agenda

**Built on What Matters.**

- C. Approval of May 10, 2016 Minutes – Meghan Martinez, Town Clerk
- D. Acknowledgement of Receipt of List of Bills – Mitzi McCoy, Finance Director
- E. Resolution 16-R-39 Establishing and Amending Fees for Municipal Services – Mitzi McCoy, Finance Director
- F. Resolution 16-R-40 Amending the 2015 Fiscal Year Budget – Mitzi McCoy, Finance Director

**Action Agenda:**

- G. Consideration of the Appointments to the Parks, Open Space, and Trails Commission – Jennifer Simmons, Planning Director
  - 1. Consideration of Re-appointment of Lee Schlais
  - 2. Consideration of Re-appointment of Chuck Beehler
- H. Resolution 16-R-41 Amending the 2016 Fiscal Year Budget – Matt LeCerf, Town Manager
- I. Ordinance 1231 Providing for the Imposition of a Lodging Excise Tax – Mitzi McCoy, Finance Director
- J. Resolution 16-R-42 Appointment of a Representative from the Weld County Commissioners to the Frederick Urban Renewal Authority – Matt LeCerf, Town Manager
- K. Resolution 16-R-43 Appointment of a Representative from the St. Vrain Valley School District to the Frederick Urban Renewal Authority – Matt LeCerf, Town Manager

**Discussion Agenda:**

- L. Monthly Solid Waste Fee Increases – Matt LeCerf, Town Manager
- M. Board Representative Appointments to Various Boards and Organizations – Tony Carey, Mayor

**Mayor and Trustee Reports:**

**Work Session:** General Discussion



# TOWN OF FREDERICK MEMORANDUM

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TO: Honorable Mayor Tony Carey and Board of Trustees

FROM: Meghan Martinez, Town Clerk

DATE: June 10, 2016

**SUBJECT: Town Clerk Report**

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- *Liquor Licensing.*
  - Reviewing one special event permit application
  - Approved special events permits for Frederick Farmers Market
  - Approved special events permit for Frederick in Flight
- *Records Requests.*
  - Responded to four requests for records.
    - Countryside landscape plan
    - Building permit file for residential property
    - Building permit file for residential property
    - Environmental site assessment for commercial property
- *Records Retention.*
  - Working with Engineering and Planning on development file process.
- *Frederick Arts Commission.*
  - Working with artist on community canvas program. The box should be completed by Frederick in Flight.
  - Working with commission on unveiling of “Good Wine, Good Memories”
- *Museum Tours.*
  - Coordinated four museum tours for residents and scout groups. Conducted two of those tours.
- *School Tours.*
  - Assisted the Town Manager with school tours for Carbon Valley Academy and Thunder Valley K-8.

**Built on What Matters.**



# Town of Frederick Memorandum

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TO: Honorable Mayor Carey & Board of Trustees

FROM: Linda Glantz

DATE: June 10, 2016

SUBJECT: Municipal Court Report

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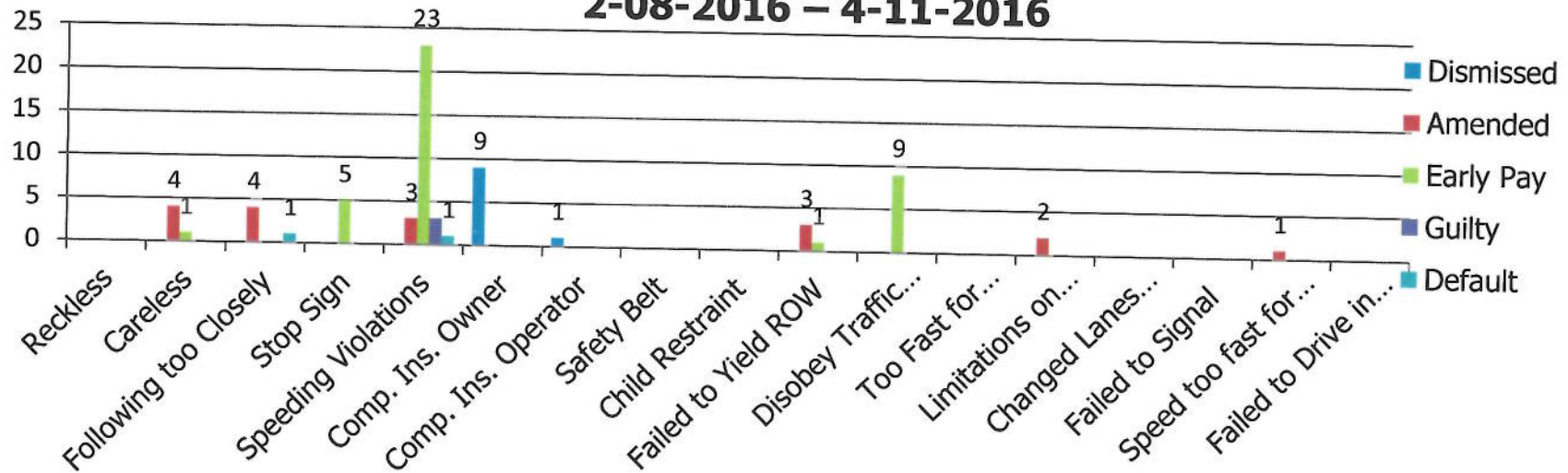
<b>TOTALS CITATIONS FILED</b>	<b>APRIL &amp; MAY</b>	<b>YEAR TO DATE</b>
Traffic	76	167
Parking	10	14
Animal	2	5
Criminal/Ordinance	22	43

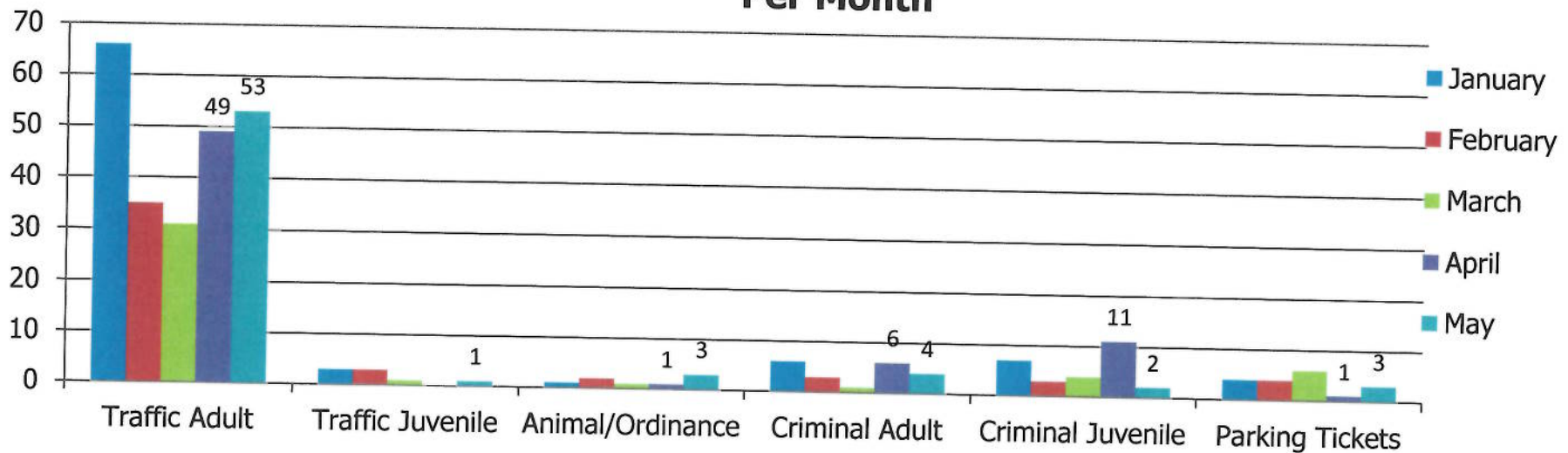
<b>COURT ACTIVITY – APRIL &amp; MAY</b>		
Court Appearances	39	
Early payments	37	
Guilty to original charge	4	
Guilty to amended charge	20	
Deferred Judgments	12	
Dismissed (Proof of Insurance)	10	
Default Judgments	2	
Not Guilty – Set for trial	3	

**Built on What Matters.**

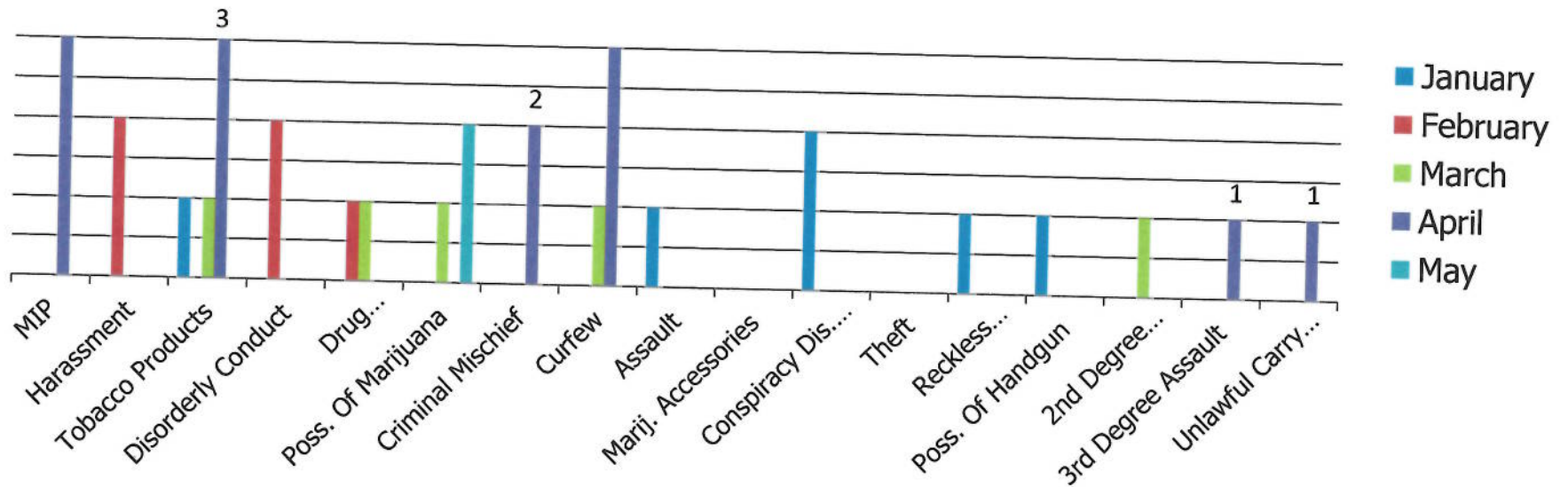
## Traffic Breakdown – April/May Docket 2-08-2016 – 4-11-2016



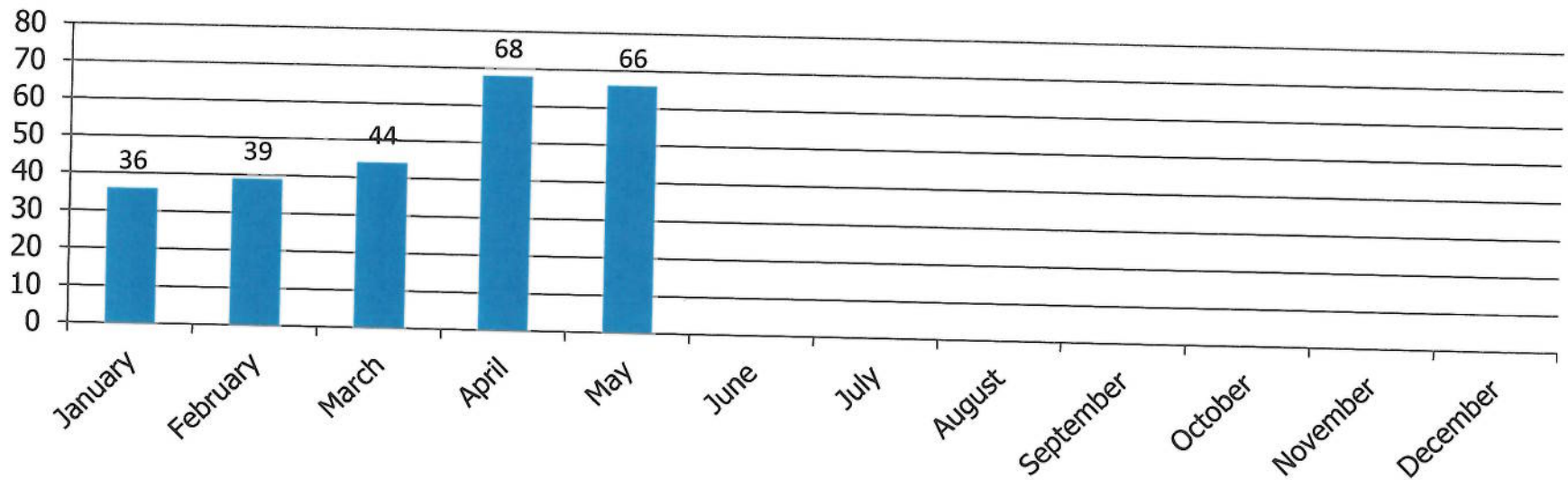
## Case Types Per Month



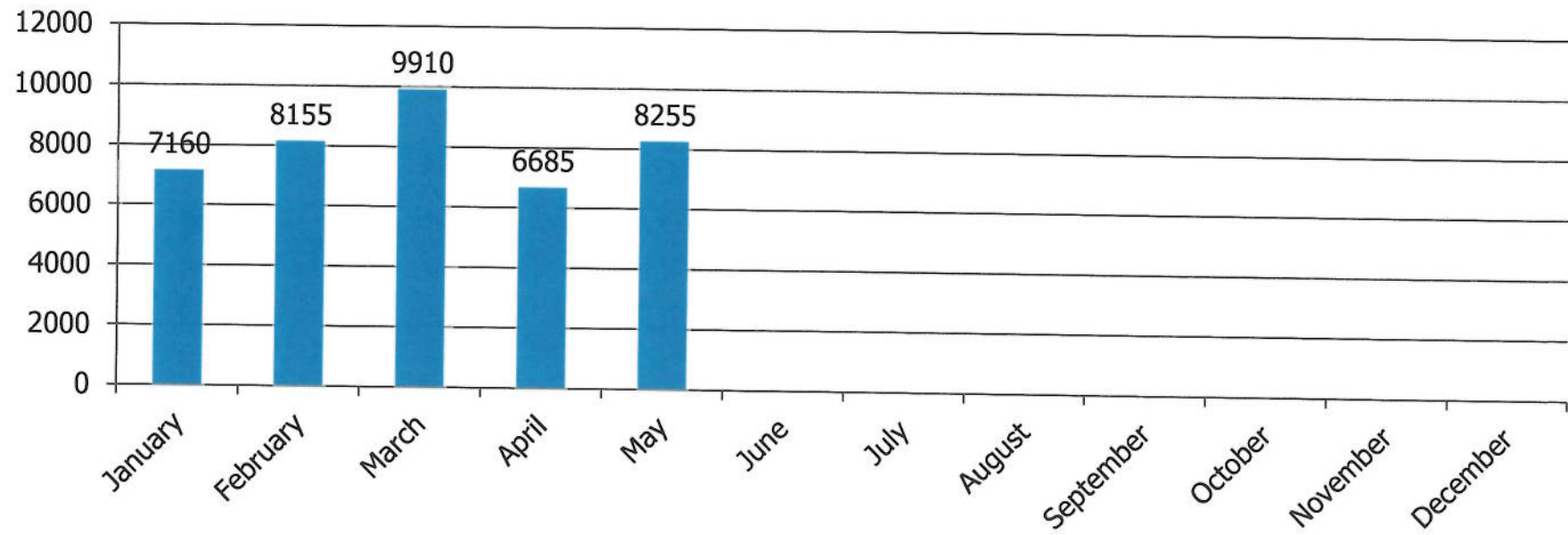
## Juvenile Criminal Cases By Month



## Citations Issued by Month



## 2016 Court Revenue/Month





**TOWN OF FREDERICK BOARD OF TRUSTEES**  
**REGULAR BOARD MEETING MINUTES**  
**FREDERICK TOWN HALL, 401 LOCUST STREET**  
**MAY 10, 2016**

**Call to Order:** At 7:00 p.m. Mayor Carey called the meeting to order and requested roll call.

**Roll Call:** Present were Mayor Carey, Mayor Pro Tem Brown and Trustees Burnham, Hudziak, Skates, DeSantis and Figurilli. Also present were Town Manager Matt LeCerf, Town Attorney Rick Samson, and Town Clerk Meghan Martinez.

**Pledge of Allegiance:** Mayor Carey invited everyone to join in the Pledge of Allegiance.

**Special Presentations:**

**St. Vrain Valley School District:** Dr. Don Haddad outlined the programming and direction of the district.

**Action Agenda:**

**Resolution 16-R-38 Awarding the Frederick High School Scholarship:** Mayor Carey and Scholarship Commissioners Brion Stapp and Sean Corey discussed this year's scholarship and the overall program. Recommended recipients Hannah Stewart and Alana Carlson addressed the Board. Motion by Trustee Hudziak and seconded by Trustee Burnham to approve Resolution 16-R-38. Upon roll call vote, motion passed unanimously.

**Special Presentations:**

**Frederick Firestone Fire Protection District:** Chief Posyzwak presented the first quarter service report.

**Frederick Municipal Court:** Municipal Judge Jeff Cahn, Town Prosecutor Kristin Brown, and Court Clerk Linda Glantz presented the municipal court update and answered questions.

**Public Comment:** Mayor Carey announced that no one signed up for public comment.

**Staff Reports:**

**Administrative Report:** Town Manager Matt LeCerf provided a written report.

**Town Clerk's Report:** Town Clerk Meghan Martinez provided a written report.

**Consent Agenda:**

**Built on What Matters.**



Motion by Mayor Pro Tem Brown and seconded by Trustee Burnham to approve the following items on the consent agenda:

- April 26, 2016 Minutes
- List of Bills
- Resolution 16-R-32 Supplement the Year 2015 Operating Budget
- Ordinance 1230 Amending Chapter 8, Article III, Section 8-45 of the FMC Regarding Vehicle Registration
- Resolution 16-R-33 Appointing a Municipal Judge
- Resolution 16-R-34 Appointing Substitute Municipal Judges

Upon roll call vote, motion passed 5-1 with Trustee Figurilli voting no.

### **Action Agenda:**

Consideration of the Re-appointment of Lee Schlais to the Parks, Open Space, and Trails Commission: Planning Director Jennifer Simmons requested that this item be tabled to the next meeting. Motion by Trustee Burnham and seconded by Trustee Skates to table this item to the June 14, 2016 meeting. Upon roll call vote, motion passed unanimously.

Resolution 16-R-35 Awarding the Bid for the Skate Park Request for Proposals to Team Pain: Planning Director Jennifer Simmons presented the proposed resolution. A representative with Team Pain was present and available to answer questions. Motion by Mayor Pro Tem Brown and seconded by Trustee Burnham to approve Resolution 16-R-35. Upon roll call vote, motion passed unanimously.

Resolution 16-R-36 Awarding a Contract for the 2016 Pavement Maintenance Project: Stormwater and Transportation Engineer Steve Stanish presented the proposed resolution and outlined the project. Motion by Trustee Burnham and seconded by Trustee Skates to approve Resolution 16-R-36. Upon roll call vote, motion passed 5-1 with Trustee Figurilli voting no.

Resolution 16-R-37 Awarding a Contract for the 2016 Concrete and Alley Maintenance Project: Stormwater and Transportation Engineer Steve Stanish presented the proposed resolution and outlined the project. Motion by Trustee Skates and seconded by Trustee Burnham to approved Resolution 16-R-37. Upon roll call vote, motion passed unanimously.

### **Mayor and Trustee Reports:**

Trustee Skates: He attended cleanup day and it was quite busy. He appreciates all the hard work from public works. It was a very successful day.

Trustee Hudziak: Nothing at this time.

Trustee Figurilli: He also attended cleanup day and it was a busy event.

Mayor Pro Tem Brown: Thanks to public works and staff. She reminded the Board that the BBQ Tour starts the first week of June.

Trustee Burnham: He provided an update on the Frederick Arts Commission and showed the board the new utility box painting that will be completed in Centennial Park.

Trustee DeSantis: Public works did a great job at cleanup day. They were working hard.

Mayor Carey: The retreat details will be coming out in the next couple of days.

There being no further business of the Board, Mayor Carey adjourned the meeting at 8:38 p.m.

Approved by the Board of Trustees:

ATTEST:

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Tony Carey, Mayor

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Meghan C. Martinez, CMC  
Town Clerk

Town of Frederick-List of Bills  
April 22, 2016-May 26, 2016

4 RIVERS EQUIPMENT LLC	Equipment repairs	4,033.24
A & R TREE AND LANDSCAPING	Tree trimming around power lines	390.00
A KID'S PLACE	First quarter billing	219.00
ACE HARDWARE OF FIRESTONE	Shop Supplies	417.62
ADAMSON POLICE PRODUCTS	Uniforms and Equipment	8,020.89
AGFINITY	Fertilizer	3,315.23
ALLIANCE DEVELOPMENT	Refund Overpayment	86.50
ALSCO INC	Public Works Uniforms	678.05
AMERICAN CANCER SOCIETY	Donation	280.00
AMERICAN PLANNING ASSOCIATION	PAS subscription	795.00
ARACELI BATREZ	Restitution	329.58
ARROW OFFICE EQUIPMENT, INC	Supplies	1,530.89
ASPEN VIEW HOMES	Plan Review refund	500.00
AT&T MOBILITY	GPS Modem Service	83.40
B & G EQUIPMENT INC	Parts & Supplies	353.71
BK TIRE, INC	Tires	707.84
BRANDON MARSHALL	DIY Day photography	225.00
C & M GOLF & GROUNDS	Equipment	12,722.00
CARBON VALLEY ACADEMY	2016 Gala	1,200.00
CARBON VALLEY CAR WASH LLC	Vehicle Maintenance	121.05
CARBON VALLEY RECREATION CENTER	Government Annual membership	2,400.00
CARD SERVICES	Travel, training, supplies	26,751.90
CASELLE, INC	Contract Support & Maintenance	1,661.00
CASRO	Conference	500.00
CENTRAL WELD COUNTY WATER DIST	Water Usage	62,316.50
CENTRAL WELD CTY WATER DIST	Water Taps	240,000.00
CENTURYLINK COMMUNICATIONS LLC	Phone service	479.00
CES (Colorado Accounts - SW)	Electric supplies	119.68
CHEMATOX LABORATORY INC	Blood test	1,135.00
CINDY KAMIGAKI	Wellness Equipment	400.00
CINTAS CORPORATION	Uniforms/First Aid	1,436.54
CIRSA	Insurance	102.00
CITY OF FORT LUPTON	Weld County Fees paid to TOF in error	65.75
CITY OF LONGMONT	Training	300.00
CODE BLUE DESIGNS	K-9 software	75.00
CODE PUBLISHING INC	Municipal Code electronic updates	904.00
COLORADO ASSOC. OF PERMIT TECHNICIANS	Training	35.00
COLORADO COOLERS	Frederick in Flight beer truck rental	350.00
COLORADO DEPARTMENT OF REVENUE	Special/Multiple Events Sales Tax License	16.00
COLORADO DOORWAYS INC	Keys	64.00
COLORADO ESCROW & TITLE SERVICES LLC	Refund Overpayment	112.46
COLORADO STATE TREASURER	Unemployment Insurance	2,456.22
COMCAST CABLE	Internet Access	205.28
COMCAST PHONE	Phone Services	232.59
COMMAND PRESENCE TRAINING ASSOC. LLC	Training	99.00
CONSOLIDATED RESOURCE LLC	Contract work for Town	442,120.18
CORNWELL TOOLS	Tools	6,556.13

Town of Frederick-List of Bills  
April 22, 2016-May 26, 2016

COURTNEY JEFFRES	Park Reservation refund	15.00
CUMMINS ROCKY MOUNTAIN, INC	Maintenance	331.00
CURTIS MOSHER	Restitution	3.29
CUSTOM PRECISION SILKSCREENING	T-shirts	352.36
DBC IRRIGATION SUPPLY	Supplies	3,669.54
DEFALCO CONSTRUCTION COMPANY	Contract work for Town	78,260.11
DISSCO	Supplies	1,953.64
DIVERSIFIED SERVICE SYSTEMS INC	Cleaning services	2,210.00
E & G TERMINAL INC	Supplies	2,705.00
E-470 PUBLIC HIGHWAY AUTHORITY	Travel	46.15
ECN	CodeRed services	6,636.00
ELSTER SOLUTIONS LLC	Electric meter services	1,080.85
ENERGY & RESOURCE CONSULTING GROUP LLC	Professional services	2,275.00
EVOLVE TECHNOLOGIES LLC	Voicemail support	62.50
EWING AUTO PARTS INC	Supplies	122.66
EXCAVATION SPECIALIST	Contract work for Town	333,782.95
EXPONENTIAL ENGINEERING COMPANY	Electrical Engineering services	16,383.53
FACE TO FACE!	DIY Day	350.00
FACTORY MOTOR PARTS	Parts/Software	5,204.78
FAIRFIELD AND WOODS PC	Legal services	1,428.00
FARIS MACHINERY COMPANY	Equipment	12,748.97
FAST SIGNS	Banner	25.00
FP MAILING SOLUTIONS	Meter rental	111.00
FREDERICK FIRESTONE FIRE PROTECTION DIST	Blood draws/EOC expenses	139.68
FREEDOM MAILING SERVICES LLC	Utility bills	2,384.12
FRONT RANGE FIRE APPARATUS	Hydrant repairs	51.88
FRONTIER BUSINESS PRODUCTS	Copier maintenance	182.30
G & G EQUIPMENT INC	Equipment for parks	1,405.77
GOVERNMENT FINANCE OFFICERS ASSOC	Membership Dues	190.00
GRACIELA CARMONA	Refund of bond deposit	395.00
GREEN MILL SPORTMAN'S CLUB	Range use	300.00
HARSH POWER SPORTS	Equipment	30,000.00
HD SUPPLY WATERWORKS LTD	Hydrant Supplies	3,174.72
HERITAGE TITLE	Refund Overpayment	36.88
HOME DEPOT/GECF	Supplies	2,694.21
HONSTEIN FACILITY SERVICE	Shop repairs	127.50
HOUSEAL LAVIGNE ASSOCIATES	Comp Plan work	679.03
HRMC,INC.	Facilitated Training	9,850.00
IAN ALBERT	Tuition Reimbursement	2,296.68
IN FORM CREATIONS LLC	Branding	400.00
INNOVATIVE HOME IMPROVEMENTS	Refund Overpayment	210.14
INTEGRATED VOTING SOLUTIONS	April Election	7,619.42
INTERNATIONAL CODE COUNCIL INC	Supplies	58.95
ISAAC MARTINEZ	Refund of bond deposit	25.00
ITASCA GREENHOUSE INC	Arbor Day saplings	235.73
JEFF CAHN INC	Judge Services	1,200.00
JENNIFER SIMMONS	Reimb. for training expenses	35.30

Town of Frederick-List of Bills  
April 22, 2016-May 26, 2016

JOHN CUTLER & ASSOCIATES	Partial billing for Audit	6,000.00
KATHY LARSON	Mileage reimb.	12.54
KATHY SANTORE	DIY Day supplies	150.00
KING CHEVROLET	Vehicle repairs	200.00
KINSCO LLC	Uniform patching	305.90
KRISTIN NORDECK BROWN P.C.	Prosecution services	2,534.00
L.G. EVERIST INC	Sales Tax Rebate	4,386.00
L.G. EVERIST INC	Road base	987.08
LEONARD MEDOFF PHD	Pre-employment for new officers	500.00
LMI	Refund of Escrow deposit	2,716.00
LOGIN / IACP NET	Membership Dues	825.00
LONGMONT TROPHY & ENGRAVING	Nameplates	31.00
LUMBERSTAK INC	Branding items	365.00
MAIL SOLUTIONS & PRINTING	Printing services	694.50
MARK EVERETT	Refund Overpayment	8.00
MARYANN BRIET	Park reservation refund	25.00
MATTHEW BENTLEY	Refund of bond deposit	375.00
MCGEE COMPANY	Equipment and supplies	6,666.34
MEGHAN LEDINGTON	Jury fee refund	25.00
MEGHAN MARTINEZ	Scholarship Commission Meeting	78.06
METROWEST NEWSPAPERS	Ft Lupton Press subscription	36.00
NEBRASKA MUNICIPAL POWER POOL	Member Dues	2,941.73
NEW CONSOLIDATED LOWER BOULDER RES	Engineering services	1,659.00
NEWMAN TRAFFIC SIGNS, INC	Signs	1,328.97
NORTHERN COLORADO FLUID POWER INC	Equipment repairs	325.00
O.J. WATSON COMPANY INC	Equipment repairs	6,098.00
O'REILLY AUTOMOTIVE INC	Parts and supplies	541.56
OVERHEAD DOOR CO. OF DENVER INC	Garage door repairs	3,401.08
PARAGON GRAPHICS & PRINTING	Printing services	355.00
PAUL C BENEDETTI	Legal Services	5,520.00
PEEL	Trustee dinner	400.00
PINNACOL ASSURANCE	Worker's Comp	40,062.96
PRAETORIAN GROUP, INC	Subscription	1,260.00
PRAIRIE MOUNTAIN PUBLISHING LLP	Publishing	2,110.10
QDC RANCH SERVICES LLC	Pest Control	1,595.00
RAMEY ENVIRONMENTAL COMPLIANCE	ORC Services Distribution & Collection	100.00
REDI SERVICES LLC	Porta John servicing	470.00
REIF & HUNSAKER PC	Consulting Services	2,420.00
RICHMOND AMERICAN HOMES	Refund Overpayment	12.46
RINKER MATERIALS	Concrete pipe	5,572.80
RITE CORP ENVIRONMENTAL	Pest Control	338.00
ROBERT J. FRICK	Judge services	160.00
ROSA LUCAS	Spanish interpreting services	120.00
SAFETY & CONSTRUCTION SUPPLY INC	Safety supplies	180.92
SAFEWAY	Supplies	273.67
SAINT AUBYN HOMES	Refund Overpayment	109.31
SAM'S CLUB / GEGRB	Supplies	910.57

Town of Frederick-List of Bills  
April 22, 2016-May 26, 2016

SAMSON LAW FIRM	Legal Services	11,500.00
SENSUS USA	Software Support renewal	1,665.98
SHRED-IT USA	Document shredding	308.22
SOLAR CITY	Refund of Building Permit fees	1,824.30
SOURCE GAS	Gas Utility	1,477.28
STANLEY M SLOWIK INC	Polygraph for new officers	314.80
STAPLES ADVANTAGE	Supplies	110.60
STEPHANIE SALAZAR	Consulting Services	6,500.00
STRIGLOS COMPANIES, INC	Adobe Licensing	2,449.00
SUMMIT STRATEGIES	CDOT Maintenance Facility Relocation	3,500.00
SUPPLYWORKS	Supplies	270.00
TASER INTERNATIONAL	Equipment	5,999.61
TELOS ONLINE	Wireless services	309.99
THE NAKED HANGER	Uniform Cleaning	491.73
THE TREE FARM	Tree voucher	100.00
TIMBERLAN	Network Support	7,389.97
TLO LLC	Investigation fees	82.75
TRACTOR SUPPLY CREDIT PLAN	Parts	590.37
TRAFFIC SIGNAL CONTROLS INC	Traffic light improvements	25,106.00
TRANSWEST TRUCK	Supplies	500.49
TYLER SCHWARTZKOPF	Board Meeting Recordings	90.00
U.S. POSTAL SERVICE (CMRS-FP)	Postage	500.00
UMB BANK, NA	Sales & Use Tax rev	66,337.50
UNIFIRST CORPORATION	Mat service	646.06
UNITED POWER	Electric utility	376,446.27
UNIVERSITY OF COLORADO HEALTH	Assault kit	470.08
UPPER CASE PRINTING, INK	Printing services	1,715.74
USA BLUE BOOK	Training supplies	469.46
UTILITY NOTIFICATION CENTER OF COLO	Utility Locates	1,484.34
UTILITY SALES & SERVICE INC	Contract Meter Reading	492.72
VERIZON WIRELESS	Wireless services	4,877.96
W.L. CONTRACTORS, INC	Monthly Maintenance Fee	601.25
WARD ELECTRIC COMPANY INC	Electric O&M	40,187.53
WARD ENGINEERING INC	Engineering services	5,570.49
WASTE CONNECTIONS OF COLO INC	Trash service	89,591.23
WELD COUNTY	Refund Overpayment	124.04
WELD COUNTY CLERK & RECORDER	Recordings	500.00
WELD COUNTY GOVERNMENT	Detention services	53.64
WELLS FARGO	Training	161.91
WESCO DISTRIBUTION	Electric Supplies	2,402.61
WESTERN UNITED ELECTRIC SUPPLY CORP	Electric Supplies	185,346.29
WEX BANK	Fuel	8,097.67
WILLARD HARDESTY	Judge services	160.00
WORKWELL OCCUPATIONAL MEDICINE	Evaluation, Physical & Drug Screening	306.56
YES COMMUNITIES	Refund Overpayment	41.83
	Grand Total:	<u>2,322,704.69</u>



# TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak Trustee  
Rocky Figurilli, Trustee

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## A Resolution Amending the Fee Schedule


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**Agenda Date:** Town Board Meeting – June 14, 2016

**Attachments:**

- a. Resolution 16-R-39
- b. Exhibit A

**Finance Review:**   
Finance Director

**Submitted by:**   
Finance Director

**Approved for Presentation:**   
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

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### **Summary Statement:**

Staff is requesting approval of Resolution 16-R-39 amending the fee schedule. This is adding fees for electric meter installation, electric meter testing, material drop permits, warrant processing, as well as updating the park reservation and temporary use permit fees.

### **Detail of Issue/Request:**

#### **Electric Meters Installation:**

Currently there is no fee that the Town charges for the installation of electric meters in the territory we serve. We only have a Main Feeder Capital Investment Fee which is set a \$650.00. Each individual home and/or business has a meter that is required for installation at each residence and like water meters, the Town handles this installation. Electric meters are the property and ownership of the Town and in instances where meters need to be replaced, this cost is the burden of the Town. In order to perform this work on a single family residence, the costs are estimated as follows:

Installation of meter and secondary connections by Ward Electric  
2 hours @ \$109.46 = \$218.92

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2 hours equipment charge (bucket truck) @ \$26.61 = \$53.22  
SF meter cost: \$112.00  
3 Phase meter cost: \$266.00  
Total = \$384.14 - \$538.14 x 25% = \$480.17 - \$672.68

***Recommendation:*** The costs for this will vary as each service is unique based on the distance from the transformer. Accordingly we are recommending a cost for SF meter installation of \$500.00 and Commercial 3 Phase of \$700.00. This will guarantee us that on 98% of our installs that we will have our costs covered and not providing a benefit to home and commercial builders at the expense of our existing customers.

#### **Electric Meters Testing:**

Similar to water meters, occasionally we receive requests from citizens to check their electric meters with the belief that their meter is reading wrong. The standard accuracy threshold for electric meters is +/- 2%. We are requesting that we establish a policy for our electric meter testing that mirrors the water meters so that if they are within the threshold, the cost incurred is the responsibility of the property owner. If it is incorrect, Frederick Power & Light incurs the cost and reimburses the customer for overbilling for up to 6 months.

***Recommendation:*** If the meter is accurate, the customer will be charged \$100.00 for the 3<sup>rd</sup> party testing. If the meter is incorrect, we will reimburse the percentage incorrect for up to 6 months' time, and Frederick Power & Light will pay all meter testing fees incurred.

#### **Materials Drop Permit Fee:**

The Town has for many years issued permits for persons wishing to have aggregate materials (rock, sand, etc.) delivered to the street in front of their homes where it could remain for up to 72 hours. Previously there was a practice of charging \$10 for the permit. This helped to defray the cost of administering this process, to include following up to make sure the materials were removed from the street in a timely way. There currently is no provision in the fee schedule for the \$10 charge.

***Recommendation:*** It is recommended that the \$10 fee be included in the schedule.

#### **Warrant Processing Fee:**

It is not uncommon for persons wanted on a variety of warrants issued by various courts to turn themselves in at the police department, or for them to be encountered by police officers in the course of their duties. Properly completing the records required in serving the warrant, and often then completing the bonding process associated with many of them, is time consuming and it removes officers from availability to answer calls for service. This is especially so when bonding cannot be completed at the police station and the arrestee must be transported to the county jail in Greeley. A number of courts in the area assess a warrant processing fee:

Brighton - \$20  
Commerce City - \$30  
Erie - \$25  
Thornton - \$25  
Loveland - \$60  
Westminster - \$50  
Johnstown - \$25  
Weld County Jail - \$10

***Recommendation:*** It is recommended that the Town of Frederick assess a \$25 fee for the processing of all warrants for arrestees that are personally served through the Frederick Police Department or the Frederick Municipal Court.



## **Park Reservation fees**

In looking at the fees currently charged for park reservations, we found there was room to better reflect the cost incurred by the Town, without pricing our fees above neighboring communities. The current fees have five categories of group size. These categories have been reduced (the two smallest categories were combined) and the fees are recommended to be increased.

### **Park Fees (reserved park pavilion – up to five hours):**

#### **Existing fees**

1-24 people	\$10.00*
25-49 people	\$15.00*
50-99 people	\$25.00*
100-200 people	\$50.00*
200+ people	Fees to be determined

\*Each additional hour \$5.00

beyond 5 hours

Liquor Permits for Park \$25.00

Reservations

Bounce House Permits \$15.00  
for Park Reservations

#### **Proposed fees**

1-50 people	\$20.00*
51-100 people	\$30.00*
100-200 people	\$50.00*
Over 200 people	Based on park impact*

\*Each additional hour \$5.00

beyond 5 hours

Liquor Permits for Park \$25.00

Reservations

Bounce House Permits \$15.00  
for Park Reservations

## **Temporary Use fees**

Currently, a temporary use fee of \$100.00 is charged when a non-town event is held on Town property (including both streets and parks) and the event is open to the public. Examples of this include the Chamber of Commerce Beer fest or Georgia Boy's Blues, Brews and Bar-B-Que held in Crist Park. However, recently we've been contacted about multi-day events. As such, staff recommends a fee to cover multi-day events for both profit and non-profit groups.

**Recommendation:** For single day events, the \$100.00 fee will stay in place. For multi-day events, it is recommended that non-profit entities pay \$250.00 per event and for-profit entities pay \$350.00 per event.

## **Legal Comments:**

The resolution was drafted by the Town Attorney.

## **Alternatives/Options:**

Adopt some, all or none of the fee schedule changes.

## **Financial Considerations:**

While this will result in a nominal increases in revenues in multiple funds, these are simply to cover administrative costs associated with the specific item.

## **Staff Recommendation:**

Adopt Resolution as presented.

**TOWN OF FREDERICK, COLORADO  
RESOLUTION NO. 16-R-39**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO,  
ESTABLISHING AND AMENDING FEES FOR MUNICIPAL SERVICES**

**WHEREAS**, the Town of Frederick has adopted Ordinance No. 1161 which established a process for establishing certain municipal fees; and

**WHEREAS**, Ordinance No. 1161 directed the Town Clerk to prepare and publish by posting a listing of all such fees; and

**WHEREAS**, the fee schedule is reviewed and updated periodically; and

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, WELD COUNTY, COLORADO THAT;**

Section 1. The Board of Trustees hereby establishes the following fees set forth on Exhibit A, attached hereto and made a part hereof.

Section 2. **Effective Date.** This Resolution and attached Exhibit A shall become effective immediately.

Section 3. **Repealer.** All resolutions or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 4. **Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 14TH DAY OF JUNE 2016.**

**ATTEST:**

**TOWN OF FREDERICK**

By \_\_\_\_\_  
Meghan C. Martinez, CMC  
Town Clerk

By \_\_\_\_\_  
Tony Carey, Mayor

Exhibit A

**Section 2-78 Administrative Fees Schedule**

Warrant Processing Fee	\$25.00
------------------------	---------

Park Fees (reserved park pavilion - up to five hours):

1-50 people	\$20.00
Each additional hour beyond five hours	\$5.00
51-100 people	\$30.00
Each additional hour beyond five hours	\$5.00
100-200 people	\$50.00
Each additional hour beyond five hours	\$5.00
Over 200 people	Based on park impact

**Section 11-43 Obstruction Permit**

Materials Permit Fee	\$10.00
----------------------	---------

**Section 13-144 Service Charges for Administrative and Maintenance Services**

Electric Meter Installation	Single Family	\$500.00
	Commercial 3 Phase	\$700.00
Electric Meter Testing	If meter tests results are accurate	\$100.00

**Land Use Code - Article 1**

Temporary Use	Single Day Events	\$100.00
	Multi Day Events (non-profit)	\$250.00
	Multi Day Events (for profit)	\$350.00



# TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak Trustee  
Rocky Figurilli, Trustee


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## A Resolution Amending the 2015 Fiscal Year Budget

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**Agenda Date:** Town Board Meeting – June 14, 2016

**Attachments:** a. Resolution 16-R-40

**Finance Review:**   
Finance Director

**Submitted by:**   
Finance Director

**Approved for Presentation:**   
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

---

### **Summary Statement:**

The Town Board of Trustees adopts an annual budget that begins in January and can be amended through-out the year as necessary. The audit for the Town began in April, and as part of the process for the financial audit, some changes to the budget may be requested to ensure that we comply with C.R.S. 29-1-110. Supplemental appropriations must be approved by the Board of Trustees to authorize any additional expenditures not included in the adopted annual budget.

### **Detail of Issue/Request:**

Water Fund – In 2015 the Board approved a water purchase of 96 shares of CBT water. Consequently, an additional appropriation in the amount of \$1,200,000 is being requested to cover the costs of acquiring this asset.

### **Legal Comments:**

None.

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**Alternatives/Options:**

Approve all, some, or none of the additional appropriations requested.

**Financial Considerations:**

Changes in fund balance with additional revenues and appropriations requested.

**Staff Recommendation:**

Adopt Resolution the as presented.

TOWN OF FREDERICK  
Resolution No. 16-R-40

**RESOLUTION TO SUPPLEMENT THE YEAR 2015 OPERATING BUDGET**

**A RESOLUTION APPROPRIATING SPENDING AUTHORITY BASED ON REVISED REVENUES AND EXPENDITURES ESTIMATES FOR THE OPERATING BUDGET, AND AMENDING THE CALENDAR YEAR 2015 BUDGET.**

**WHEREAS**, The Town Board of the Town of Frederick received a recommendation from Town Staff to revise the 2015 spending plan for the funds listed and;

**WHEREAS**, projects have been evaluated and funds will not be forthcoming for such projects, these projected revenues and expenditures are being adjusted for the 2015 operating budget and;

**WHEREAS**, new information indicates that amendment to the 2015 operating budget would increase clarity of information and improve the quality of usefulness of such information in the decision making process, and;

**WHEREAS**, the Town Board agrees to modify appropriated expenditures for the 2015 budget, insuring the budget will be in balance and that authorized budgeted expenditures are amended, as required by law.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, COLORADO, that the 2015 budget shall be amended to include the following changes:**

**Expenditures**

**Section 1. Water Fund:**

Whereas, during 2015 the Town of Frederick determined that the Water Fund did not allocate adequate funds to the operating costs, the Board of Trustees hereby determines the new appropriation expense will be \$5,129,908.

INTRODUCED, READ AND ADOPTED ON THIS 14th DAY OF JUNE, 2016.

ATTEST:

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Tony Carey, Mayor

---

Meghan Martinez, CMC  
Town Clerk



# TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak Trustee  
Rocky Figurilli, Trustee

---

## Consideration of the Re-Appointment of Lee Schlais and Chuck Beehler to the Parks, Open Space, and Trails Commission

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**Agenda Date:** June 14, 2016

**Attachments:**

- a. Application from Lee Schlais
- b. Application from Chuck Beehler

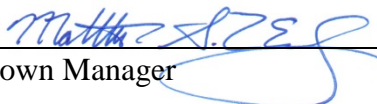
**Finance Review:**

\_\_\_\_\_  
Finance Director

**Submitted by:**

\_\_\_\_\_  
Jennifer Simmons  
Planning Director

**Approved for Presentation:**

  
\_\_\_\_\_  
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

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**Summary Statement:**

Commissioners on the Parks, Open Space, and Trails Commission serve two year terms.

Commissioner Schlais' reappointment was tabled from the May 10 Board of Trustees meeting.

**Detail of Issue/Request:**

The Municipal Code allows seven citizens to serve on the Parks, Open Space, and Trails Commission. Currently, all positions are filled.

Attached are applications from two current Commissioners requesting re-appointment. Commissioner Schlais is a valuable member of the Commission and provides thoughtful perspectives and input. Chairman Beehler provides solid leadership in the Chairman role and is respected by the Commissioners serving with him.

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The responsibilities of the Commission include advising the Board of Trustees on all matters relating to acquisition, care, use, management, control and planning of all Town-owned parks, open space, and trails; advising the Board regarding the preparation and maintenance of a long-range parks and open space acquisition, care and maintenance plan; and making recommendations to the Board regarding parks, open space, and trail-related budget items.

**Legal Comments:**

Not applicable.

**Alternatives/Options:**

The Board of Trustees may choose whether or not to re-appoint the applicants to serve on the Commission.

**Financial Considerations:**

Not applicable.

**Staff Recommendation:**

Staff recommends re-appointment of Commissioner Schlais and Chairman Beehler.





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BOARD, COMMITTEE AND COMMISSION APPLICATION

Application for Appointment to: Parks open Space & Trails  
(Name of Board, Committee or Commission)

Name: Lee Schlais

Home Address: 302 Grant ST, Frederick, Co 80530

Mailing Address: 302 Grant St, Frederick, Co 80530

Email Address: lschlais@yahoo.com

Occupation: Software Dev Mgr Employer: DigitalGlobe Inc

Phone #: 719-289-5359 Work Phone #: 303-681-4776

Education Years Completed: 16 College(s): Univ. Ca @ Riverside

Degree(s): BA

Qualifications for Serving: Have served on Frederick POST commission for Post 4 yrs.

Why do you desire this appointment: to continue working on POST Commission projects with my fellow commissioners

How much time are you able to devote?: As much as needed

Do you presently serve on a Board or Commission?: yes

If yes, please list: POST

Where did you hear of this vacancy: \_\_\_\_\_

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Town of Frederick  
Board/Committee/Commission Applicants  
Conflict of Interest Disclosure

Several state laws and municipal ordinances prohibit conflicts of interest on the part of Town Boards and Commission members. A member of a Board/Committee/Commission shall not perform an official act that may have an economic benefit on a business or other undertaking (whether or not for profit) in which the member has a direct or substantial financial interest. Board/Committee/Commission members must not be interested in any contract made in their official capacities; or make by any other body, agency or board of which they are members or employees.

ALL BOARD/COMMITTEE/COMMISSION APPLICANTS:

Do you have any direct or indirect financial or economic interest in any business or other undertaking (whether or not for profit) that may have business coming before the Board/Committee/Commission for which you have applied? No

If yes, please describe that interest in the space immediately below (if you need additional space, please attach additional sheets) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If desired, please submit a letter of application or resume with this application.

This application is subject to the Colorado Open Records Act and should not be considered confidential.

Applicant Signature: Lee Schlais

Date: April 5, 2016



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PHONE: (720) 382-5500 • FAX: (720) 382-5520

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PARKS, OPEN SPACE, AND TRAILS COMMISSION APPLICATION QUESTIONNAIRE

The purpose of the POST Commission as set forth in the Frederick Municipal Code is to review and recommend to the Board of Trustees in all matters concerning the acquisition, development and maintenance of municipally owned parks, open space, and trails.

1. Have you served on a Board/Commission before? If so what was your experience? yes  
Very positive. The Frederick POST commission has made  
Many recommendations and changes for Frederick Parks

2. What experience do you have with the following?

- ☐ Landscape/Landscaping
- ☐ Forestry
- ☐ Horticulture
- ☐ Land Preservation and Conservation
- ☐ Wildlife Habitat
- ☐ Trail Connections
- ☐ Construction relating to parks, trails, and landscaping
- ☐ Environmental Education
- ☐ Arbor Day/Tree City USA

3. Please provide a brief description of your experience and why you are interested in serving as a Parks, Open Space, and Trails Commissioner.

To continue the work I have done for the commission over  
the past 4 years

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4. Have you read the POST Master plan? yes

5. Do you have any direct or indirect financial or economic interest in any business or other undertaking (whether or not for profit) that may have business coming before the Board/Commission for which you have applied? NO

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Zee Schlack

Applicant Signature

April 5, 2016

Date



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BOARD, COMMITTEE AND COMMISSION APPLICATION

Application for Appointment to: POST  
(Name of Board, Committee or Commission)

Name: CHUCK BEEHNER

Home Address: 8021 DAWN HILL CT, FREDERICK CO 80576

Mailing Address: SAME AS ABOVE

Email Address: CHUCK.BEEHNER@YAHOO.COM

Occupation: RETIRED Employer: \_\_\_\_\_

Phone #: 303-776-1283 Work Phone #: \_\_\_\_\_

Education Years Completed: \_\_\_\_\_ College(s): 2

Degree(s): AAS

Qualifications for Serving: RETIRED EXPERIENCE, KNOWLEDGE OF TREES

\_\_\_\_\_

\_\_\_\_\_

Why do you desire this appointment: HELP BUILD A BETTER FREDERICK

\_\_\_\_\_

\_\_\_\_\_

How much time are you able to devote?: AS REQUIRED

Do you presently serve on a Board or Commission?: POST (YES)

If yes, please list: POST

Where did you hear of this vacancy: \_\_\_\_\_

Built on What Matters.

Town of Frederick  
Board/Committee/Commission Applicants  
Conflict of Interest Disclosure

Several state laws and municipal ordinances prohibit conflicts of interest on the part of Town Boards and Commission members. A member of a Board/Committee/Commission shall not perform an official act that may have an economic benefit on a business or other undertaking (whether or not for profit) in which the member has a direct or substantial financial interest. Board/Committee/Commission members must not be interested in any contract made in their official capacities; or make by any other body, agency or board of which they are members or employees.

ALL BOARD/COMMITTEE/COMMISSION APPLICANTS:

Do you have any direct or indirect financial or economic interest in any business or other undertaking (whether or not for profit) that may have business coming before the Board/Committee/Commission for which you have applied? No

If yes, please describe that interest in the space immediately below (if you need additional space, please attach additional sheets) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If desired, please submit a letter of application or resume with this application.  
This application is subject to the Colorado Open Records Act and should not be considered confidential.

Applicant Signature: Chris A. Barker  
Date: 6-1-2016





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PHONE: (720) 382-5500 • FAX: (720) 382-5520

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PARKS, OPEN SPACE, AND TRAILS COMMISSION APPLICATION QUESTIONNAIRE

The purpose of the POST Commission as set forth in the Frederick Municipal Code is to review and recommend to the Board of Trustees in all matters concerning the acquisition, development and maintenance of municipally owned parks, open space, and trails.

1. Have you served on a Board/Commission before? If so what was your experience? \_\_\_\_\_

POST COMMISSION

2. What experience do you have with the following?

- ☒ Landscape/Landscaping
- ☐ Forestry
- ☐ Horticulture
- ☐ Land Preservation and Conservation
- ☐ Wildlife Habitat
- ☒ Trail Connections
- ☒ Construction relating to parks, trails, and landscaping
- ☐ Environmental Education
- ☐ Arbor Day/Tree City USA

3. Please provide a brief description of your experience and why you are interested in serving as a Parks, Open Space, and Trails Commissioner.

DESIGNED LANDSCAPING & TRAILS  
MANAGEMENT EXPERIENCE

PARKS OPEN SPACE AND TRAILS ADD TO THE  
QUALITY OF LIFE IN FREDERICK. I WANT  
THAT TO CONTINUE

**Built on What Matters.**

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4. Have you read the POST Master plan? YES

5. Do you have any direct or indirect financial or economic interest in any business or other undertaking (whether or not for profit) that may have business coming before the Board/Commission for which you have applied? NO

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Applicant Signature

5-25-2016  
Date





# TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak Trustee  
Rocky Figurilli, Trustee

---

## A Resolution to Authorize a Supplemental Appropriation and Amend the 2016 Fiscal Year Budget

---

**Agenda Date:** Town Board Meeting - June 14, 2016

**Attachments:** a. Resolution 16-R-41

**Finance Review:**

\_\_\_\_\_  
Finance Director

**Submitted by:**

  
\_\_\_\_\_  
Town Manager

**Approved for Presentation:**

  
\_\_\_\_\_  
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

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**Summary Statement:**

The attached resolution will amend the 2016 fiscal year budget for items identified in the recent board retreat and other capital improvements necessary to various funds which were already directed by the Board.

**Detail of Issue/Request:**

The presented amendments to the budget are presented for your consideration based on outcomes from the recent board retreat and ongoing projects that were expected to be performed and completed in 2015, but are still ongoing. Below is an overview showing the description of the projects and the allocations necessary for each fund based on those project(s).

**General Fund:**

Additional funding is being requested for allocation for facilitation of possibly relocating the CDOT facility and additional signage that was requested during the Board retreat in downtown. The total amended recommendation is for \$50,000 to cover these costs which would be in the Administration Division. This

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would leave an estimated fund balance at the end of the year based on the 2016 approved budget of \$1,690,181.

**Open Space Fund:**

Additional funding is being requested to perform landscaping improvements to the Bella Rosa Golf Course as was directed at the retreat. This cost is estimated at \$60,000. This will cover the cost of improving the front of the Bella Rosa Clubhouse and the Hole #2 improvements at the monument sign located at the corner of Colorado Blvd. and Bella Rosa Parkway. Other requested improvements will be provided in the 2017 budget. The new ending fund balance for 2016 based on the budget is estimated at \$2,418,967.

**Electrical Fund:**

Additional funding is being requested to perform electrical improvements including undergrounding our electrical utility in areas where we are paving our alleyways, upgrading and extending our electrical distribution system from a 4/0 primary to a 500 MCM at the meter point at Tipple Parkway and Colorado Blvd, service to the Milavec Lake pump house expansion, LED light expansion programming, and undergrounding and improvements from Colorado Boulevard and Tipple Parkway southbound. The improvements will create greater reliability and handle additional loads on our system as our territory continues to develop as well as a reduction in the long-term maintenance of the system. The cost requested for this is an additional \$1.9 million. The new ending fund balance for 2016 based on the approved budget is \$7,803,319.

**Street & Alley and Storm water Fund:**

A reallocation of funds is being requested to complete the budgeted projects that were approved in 2015, but were not properly noted as carry over into the 2016 fiscal year. These projects which were approved in 2015 were budgeted and scheduled to be expended in total in 2015. Accordingly the budget amendment includes an increase in the Storm water Fund of \$1,592,000 and Street & Alley increase of \$1,982,500. There will be no change in the ending fund balances for 2016 as these funds were already planned for expenditures in 2015 and were reflected appropriately in the 2016 approved budget.

**Legal Comments:**

The resolution presented was drafted by the Town Attorney

**Alternatives/Options:**

The Board may consider not approving the budget amendment requests. If this were the case, it would impact projects currently underway.

**Financial Considerations:**

The total amount ensures the Town can achieve specific objectives justifying the funding requests.

**Staff Recommendation:**

Staff recommends approval of the resolution attached for the budget amendments.

**TOWN OF FREDERICK, COLORADO  
RESOLUTION NO. 16-R-41**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, AMENDING  
THE ADOPTED 2016 BUDGET FOR THE TOWN OF FREDERICK AND  
MAKING SUPPLEMENTAL APPROPRIATIONS OF MONEY TO PROVIDE  
FOR ADDITIONAL EXPENDITURES**

**WHEREAS**, in the 2016 Budget, the Town Board of Trustees authorized the appropriation and expenditures of funds from the General Fund, the Open Space Fund, the Electrical Fund and the Street & Alley Fund and the Storm Water Fund; and

**WHEREAS**, the funds budgeted are insufficient to pay the cost of needed improvements and said additional expenses could not be anticipated by the Board of Trustees at the time of the adoption of the 2016 Budget; and

**WHEREAS**, pursuant to CRS §29-1-109(2) the Town of Frederick is authorized by law to provide for changes to the budget and appropriations to the various funds during the budget year through amendments to the budget and supplemental appropriations adopted by resolution or ordinance setting forth in full the source and amount of such revenues, the purpose for which such revenues are being budgeted and appropriated, and the fund or spending agency which shall make such supplemental expenditures.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Town of Frederick, Weld County, Colorado, that:

**Section 1.** The 2016 Budget for the Town of Frederick is hereby amended to provide an increase in the budgeted expenditures as follows:

- |    |                 |               |                                                      |
|----|-----------------|---------------|------------------------------------------------------|
| a. | General Fund    | \$50,000      | Relocation of CDOT facilities                        |
| b. | Open Space Fund | \$60,000      | Landscape Improvements at Bella Rosa Golf Course     |
| c. | Electrical Fund | \$1.9 Million | Expansion and undergrounding of electrical utilities |

**Section 2.** The following funds were budgeted but not expended in 2015 and should have been carried over as expenses in the 2016 Budget but will create no change in the ending fund balances for 2016.

- |    |                     |             |                                 |
|----|---------------------|-------------|---------------------------------|
| a. | Street & Alley Fund | \$1,982,500 | Budgeted but unexpended in 2015 |
| b. | Storm Water Fund    | \$1,592,000 | Budgeted but unexpended in 2015 |

**Section 3. Effective Date.** This resolution shall become effective immediately upon adoption.

**Section 4. Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer of such resolutions nor revive any resolutions thereby.

**Section 5. Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, AND ADOPTED THIS 14TH DAY OF JUNE 2016.**

**ATTEST:**

**TOWN OF FREDERICK**

By: \_\_\_\_\_  
Meghan C. Martinez, CMC, Town Clerk

By: \_\_\_\_\_  
Tony Carey, Mayor



# TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak Trustee  
Rocky Figurilli, Trustee

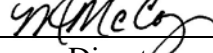
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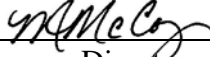
## An Ordinance Providing for Lodging Excise Tax

---

**Agenda Date:** Town Board Meeting – June 14, 2016

**Attachments:** a. Ordinance No. 1231

**Finance Review:**   
Finance Director

**Submitted by:**   
Finance Director

**Approved for Presentation:**   
Town Manager

☐ Quasi-Judicial

☒ Legislative

☐ Administrative

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### **Summary Statement:**

On November 3, 2015 registered voters approved the adoption of a four percent (4%) lodging excise tax that would apply to short-term rental of any hotel room, motel room, lodging room, guest house or other similar temporary accommodation of less than 30 consecutive days.

### **Detail of Issue/Request:**

In 2015 the Board approved Resolution number 15-R-51 which submitted the following ballot question to registered voters:

SHALL THE TOWN OF FREDERICK TAXES BE INCREASED \$0 IN THE FIRST FISCAL YEAR (2016) ANY BY WHATEVER AMOUNTS ARE RAISED ANNUALLY THEREAFTER THROUGH THE IMPOSITION AND ASSESSMENT OF A FOUR PERCENT (4%) EXCISE TAX COMMENCING JANUARY 1, 2016, TO BE PAID BY LODGERS WITHIN THE TOWN OF FREDERICK ON THE PURCHASE PRICE PAID OR CHARGED FOR THE FURNISHING OF ANY HOTEL ROOM, MOTEL ROOM, LODGING ROOM, MOTOR HOTEL ROOM, GUEST HOUSE OR

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OTHER SIMILAR SHORT TERM TEMPORARY ACCOMODATION OF LESS THAN THIRTY (30) CONSECUTIVE DAYS; AND SHALL ALL REVENUES DERIVED FROM SUCH EXCISE TAX BE COLLECTED AND SPENT ON ANY LAWFUL USE, INCLUDING BUT NOT LIMITED TO INCENTIVES FOR HOTEL AND CONFERENCE CENTER DEVELOPMENT?

The attached ordinance will add Article XI to Chapter 4 of the Frederick Municipal Code and provide for the administration and collection of the lodging tax. This is similar to other municipal ordinances that have implemented a lodging tax in their community.

**Legal Comments:**

None.

**Alternatives/Options:**

The ballot issue passed and the attached ordinance codifies that action.

**Financial Considerations:**

Potential increased revenues from establishment of lodging in the Town.

**Staff Recommendation:**

Adopt Ordinance 1231 as presented.

**TOWN OF FREDERICK, COLORADO  
ORDINANCE NO. 1231**

**AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO,  
PROVIDING FOR THE IMPOSITION OF A LODGING EXCISE TAX  
FOR THE TOWN OF FREDERICK**

**WHEREAS**, the Town of Frederick, Colorado (“Town”), is a statutory town; and

**WHEREAS**, C.R.S. 31-15-501(1)(c) authorizes the Town to levy excise taxes within its borders; and

**WHEREAS**, a majority of the registered voters voting at the November 3, 2015 election approved the adoption of a lodging excise tax; and

**WHEREAS**, the provision of lodging rooms and accommodations to the traveling public results in the increased use of Town streets and rights-of-way, increased traffic, increased demands upon municipal services such as police protection, and has substantial effect upon the health, safety, and welfare of the citizens of the Town of Frederick and upon the expenditures budgeted by the town; and

**WHEREAS**, the Board of Trustees desires and finds that is necessary to adopt a Lodging Excise Tax, to be spent on any lawful use, including but not limited to incentives for hotel and conference center development.

**WHEREAS**, the classification of the provision of lodging as separate businesses and occupations is reasonable, proper, uniform, and nondiscriminatory; and the taxable amount hereby assessed is reasonable, proper, uniform, nondiscriminatory, and necessary.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF  
FREDERICK, COLORADO, AS FOLLOWS:**

**Section 1.** Chapter 4 of the Frederick Municipal Code is hereby amended to add a new Article XI, to read as follows:

**“Article XI  
Lodging Excise Tax**

**Sec. 4-300. Purpose.**

The Board of Trustees hereby finds, determines and declares:

- (a) For the purposes of this article, every person that furnishes a lodging room or accommodation for consideration in the Town is exercising a taxable privilege. The purpose of this article is to impose a tax which will be paid by every lodging provider providing such lodging room or

accommodation in the Town, to be spent on any lawful use, including but not limited to incentives for hotel and conference center development.

- (b) Pursuant to authority found in the laws of the state, the following lodging excise tax is adopted for the purpose of promoting the health, safety, morals and general welfare of the town.
- (c) The provision of lodging rooms and accommodations to the traveling public results in the increased use of Town streets and rights-of-way, increased traffic, increased demands upon municipal services and has substantial effect upon the health, safety and welfare of the citizens of the Town and upon expenditures budgeted by the Town which is a matter of local concern; and
- (d) The classification of the provision of lodging as separate businesses and occupations is reasonable, proper, uniform, nondiscriminatory and necessary.

**Sec. 4-301. Definitions.**

For purposes of this article, the following words shall have following meanings:

- (a) “Lodging services” means the providing of hotel rooms, motel rooms, lodging rooms, motor hotel rooms, guest house rooms or other similar accommodations, that are rented to persons for a period of less than one month or thirty consecutive days, but shall not include rentals under a written agreement for occupancy for a period of at least one month or thirty days. Lodging services does not include the providing of meeting rooms.
- (b) “Lodging price” means the gross price paid, exclusive of other taxes paid, or value given by the customer for the provision of lodging services.
- (c) “Lodging provider” means any person furnishing lodging services or such provider’s authorized agent.
- (d) “Lodgers tax” means an excise tax payable by the purchaser of lodging services or the aggregate amount of taxes due from a lodging provider during the period for which such person is required to report the collections of lodgers taxes as here in specified.
- (e) “Person” means any individual, firm, partnership, joint venture, corporation, estate or trust, receiver, trustee, assignee, licensee or any person acting in a fiduciary or representative capacity, whether appointed by the court or otherwise, or any group or combination acting as a unit, and includes the plural as well as a singular number.
- (f) “Taxpayer” means any person obligated to account to the Town for taxes collected or to be collected under the terms of this article.

**Sec. 4-302. Levy of tax.**



Effective January 1, 2017, there is hereby levied and shall be paid and collected an excise tax of 4% on the lodging price paid for leasing, rental or providing of any lodging services located in the Town. This tax shall be in addition to the sales and use tax as established pursuant to Article VI of this code. It shall be a violation of this code for any lodging customer of a hotel room, motel room, or other accommodation located in the Town to fail to pay, or for any lodging provider of such accommodation to fail to collect, a tax levied pursuant to this section.

#### **Sec. 4-303. Exemptions.**

The following transactions shall be exempt from the tax imposed by this article:

- (a) Lodging or accommodations provided to representatives of the United States, the State of Colorado, any departments and institutions and the political subdivisions of any state in their governmental capacities only;
- (b) Lodging or accommodations provided to those charitable, religious and eleemosynary organizations that have received from the Internal Revenue Service status under Section 501(c)(3) of the Internal Revenue Code as a tax-exempt organization, while in the conduct of their regular charitable, religious or eleemosynary functions and activities; and
- (c) Lodging or accommodations provided to a person who is a permanent resident of a hotel, motel, apartment hotel, lodging house, motor hotel, guest house or other similar business pursuant to a written agreement for a period of at least one month or thirty consecutive days.

#### **Sec 4-304 Certification of Registration**

- (a) Every lodging provider maintaining a place of business in the Town shall obtain a certificate of registration as a tax collector from the Town Clerk no later than thirty (30) days after commencing such business.
- (b) Application for certificate of registration shall be made to the Town Clerk upon forms furnished by the Town. Each application shall be signed and verified by the applicant or a properly accredited agent, which in the case of a corporation shall include the president, vice-president, the secretary, the treasurer or some other properly accredited agent acceptable to the Town Clerk. The application shall state:
  - 1) The name of the applicant and the address of the principal place of the business.
  - 2) The residence address of the principal officers and the manager.
  - 3) The applicant's estimated receipts from renters' use and privilege of renting, leasing, or subletting lodging services within the Town.
  - 4) Such other information as the treasurer may reasonably require.
- (c) Upon receipt of the application for a certificate of registration in proper form, and upon approval by the Town Clerk, a certificate of registration shall be issued. A certificate of registration will not be issued to any person who is in default to the Town for moneys due

under this article or any other article of this code.

- (d) If the person so registered states that they operates other such places of business in the Town, the Town Clerk shall furnish him with a certificate of registration for each place of business.
- (e) The certificate of registration shall be conspicuously displayed at the place of business which the person on so registered states in the application to be the principal place of business from which they engage in the business of providing lodging services in the Town.
- (f) Information supplied on the application required by this section shall be updated within thirty (30) days of any change or alteration thereof upon revision forms supplied by the treasurer.

**Sec. 4-305. Collection of tax.**

- (a) Monthly reporting. The owner or owners of each lodging service within the Town shall file monthly tax returns showing tax receipts received with respect to each room during each month. The returns shall be due on or before the last day of the month for the preceding calendar month. The owner of each lodging service within the Town that has collected ten thousand dollars (\$10,000) or more of tax herein imposed and levied during its fiscal year shall provide the Finance Director with a certified statement from an independent certified public accountant within one hundred eighty (180) days following the end of the businesses fiscal year showing the amount of such tax which was due, collected and paid to the Town during the fiscal year.
- (b) Transmittal of tax. The tax shall be due on the day that the monthly return is due as provided herein. At the time of filing such return, the owner shall pay to the Finance Director all taxes, interest and penalties, if any, due for the period to which the return applies.
- (c) Failure to pay tax. If for any reason any tax is not paid when due, a penalty and interest, as set by subsection (d), on the amount of tax which remains unpaid shall be added and collected. Whenever any owner shall fail to pay any tax as herein provided, enforcement may include legal action and tax lien.
- (d) Schedule of certain rates. The following rates are hereby set for the purpose of this article:
  - 1) Penalty, seven and one half (7.5) percent added to the amount of tax unpaid and uncollected.
  - 2) Interest, one and one half (1.5) percent added per month to the amount of tax unpaid and uncollected.

**Sec. 4-306. Audit of records.**

- (a) For the purpose of ascertaining the correct amount of the excise tax on the provision of the lodging due from any person engaged in such business in the Town under this article, the Finance Director or an authorized agent may conduct an audit by examining any relevant

books, accounts and records of such person.

- (b) The Finance Director, or any person certified by the Finance Director as his deputy or representative, may enter the common and business premises of any lodging service for inspection of the books and records in order to effectuate the proper administration of this article and to assure the enforcement of the collection of the tax imposed.
- (c) No person shall prevent, hinder or interfere with the Finance Director or his duly authorized representative in the discharge of his duties under this article. If any taxpayer refuses to voluntarily furnish any of the foregoing information when requested, the Finance Director may issue a subpoena to require that the taxpayer or its representative attend a hearing or produce any such books, accounts and records for examination.
- (d) It shall be the duty of every owner to keep accurate and complete books and records to which the Finance Director or his representative shall at all times have full access, which records include a daily sheet showing:
  - 1) The number of rooms rented during the twenty-four hour period, including multiple rental of the same room where such shall occur.
  - 2) The actual hotel receipts collected for the date in question.
  - 3) All such records must be maintained by the owner for a period of three (3) years.
- (e) Any tax exempt organization claiming exemption under the provisions of this article is subject to audit in the same manner as any other person engaged in the lodging business in the Town.
- (f) The burden of proving that any transaction is exempt from the tax shall be upon the lodging provider.

**Sec. 4-307. Tax overpayments and deficiencies.**

An application for refund of tax monies paid in error or by mistake, shall be made within two years after the date of payment for which the refund is claimed. If the Finance Director determines that within three years of the due date, a lodging provider overpaid the excise tax on the provision of lodging, the Town shall process a refund or allow a credit against a future remittance from the same taxpayer. If at any time the Finance Director determines the amount paid is less than the amount due under this article, the difference together with the interest shall be paid by the lodging provider within fifteen days after receiving written notice and demand from the Finance Director.

**Sec. 4-308. Tax information confidential.**

- (a) All specific information gained under the provisions of this article which is used to determine the tax due from a taxpayer, whether furnished by the taxpayer or obtained through audit, shall be treated by the Town and its officers, employees or legal representative as confidential. Except as directed by judicial order or as provided in this article, no town officer, employee or legal representative shall divulge any confidential information. If directed by judicial order,

the officials charged with the custody of such information shall be required to provide only such information as is directly involved in the action or proceeding. Any town officer or employee who shall knowingly divulge any information classified herein as confidential, in any manner, except in accordance with proper judicial order, or as otherwise provided in this article or by law, shall be guilty of a violation hereof punishable by a fine but not imprisonment.

- (b) Nothing contained in this section shall be construed to prohibit the delivery to the taxpayer or their duly authorized representative, a copy of such confidential information relating to such taxpayer, the publication of statistics so classified as to prevent the identification of particular taxpayers, or the inspection of such confidential information by an officer, employee or legal representative of the Town.

#### **Sec. 4-309. Forms and regulations.**

The Finance Director is hereby authorized to prescribe forms and promulgate rules and regulations to aid in the making of returns, the ascertainment, assessment and collection of the excise tax on the provision of lodging.

#### **Sec. 4-310. Enforcement and penalties.**

- (a) It shall be unlawful for any person to intentionally, knowingly or recklessly fail to pay the tax imposed by this article, or to make any false or fraudulent return, or for any person to otherwise violate any provisions of this article. Any person convicted of a violation of this article shall be deemed guilty of a municipal criminal offense and shall be punished by a fine of not more than one thousand dollars or by imprisonment for a period of one year, or by both such fine and imprisonment. Each day, or portion thereof, that any violation of this article continues shall constitute a separate offense.
- (b) If any lodging provider fails to make a return and pay the tax imposed by this article, the town may make an estimate, based upon available information, of the amount of tax due and add the penalty and interest provided above. The town shall mail notice of such estimate, by certified mail, to the lodging provider at his or her address as indicated in the town records. Such estimate shall thereupon become an assessment, and such assessment shall be final and due and payable from the taxpayer to the Town ten days from the date of service of the notice or the date of mailing by certified mail; provided, however, that within the fifteen-day period such delinquent taxpayer may petition the Town for a revision or modification of such assessment and shall, within such fifteen-day period, furnish the Finance Director the documents, facts and figures showing the correct amount of such taxes due and owing.
- (c) Such petition shall be in writing, and the facts and figures submitted shall be submitted in writing and shall be given by the taxpayer under penalty of perjury. Thereupon, the Town may modify such assessment in accordance with the facts submitted in order to effectuate the provisions of this article. Such assessment shall be considered the final order of the Town, and may be reviewed under Rule 106(a)(4) of the Colorado Rules of Civil Procedure, provided that

the taxpayer gives written notice to the Town of such intention within ten days after receipt of the final order of assessment.

**Sec. 4-311. Tax lien.**

- (a) The tax imposed by this article, together with the interest and penalties herein provided and the costs of collection which may be incurred, shall be and until paid remain a first and prior lien superior to all other liens on all the tangible personal property of a taxpayer within the town and may be foreclosed by seizing under distraint warrant and selling so much thereof as may be necessary to discharge the lien. Such distraint warrant may be issued by the town clerk whenever the taxpayer is in default in the payment of the tax, interest, penalty or costs. Such warrant may be served and the goods subject to such lien seized by any town police officer, the Weld County Sheriff or any duly authorized employee of the town. The property so seized may be sold by the agency seizing the same or by the town clerk, by public auction after ten days have passed following an advertised notice in a newspaper published in the town, in the same manner as is prescribed by law in respect to executions against property upon judgment of a court of record, and the remedies of garnishment shall apply.
- (b) The tax imposed by this article shall be and remain a first and prior lien superior to all other liens on the real property and appurtenant premises at which the taxable transactions occurred.

**Sec. 4-312. Recovery of unpaid tax.**

- (a) The Finance Director may also treat any such taxes, penalties, costs or interest due and unpaid as a debt due the Town from the taxpayer.
- (b) The Town may certify the amount of any delinquent tax, plus interest, penalties and the costs of collection, as a charge against the property at which the taxable transaction occurred to the county treasurer for collection in the same manner as delinquent ad valorem taxes.

**Sec. 4-313. Status of unpaid tax in bankruptcy and receivership.**

Whenever the business or property of a taxpayer subject to this article shall be placed in receivership, bankruptcy or assignment for the benefit of creditors or seized under distraint for taxes, all taxes, penalties and interest imposed by this article and for which the taxpayer is in any way liable under the terms of this article shall be a prior and preferred lien against all the property of the taxpayer, except as to other tax liens which have attached prior to the filing of the notice, and no sheriff, receiver, assignee or other officer shall sell the property of any person subject to this article under process or order of any court, without first ascertaining from the town clerk the amount of any taxes due and payable under this article, and if there be any such taxes due, owing and unpaid, it shall be the duty of such officer to first pay the amount of the taxes out of the proceeds of such sale before making payment of any monies to any judgment creditor or other claimants of whatsoever kind or nature, except the costs of the proceedings and other preexisting tax liens as above provided.

**Sec. 4-314. Hearings, subpoenas and witness fees.**

- (a) Hearings before the Finance Director pursuant to provisions in this article shall be held pursuant to the ordinance codified herein and rules and regulations promulgated by the Finance Director. Any subpoena issued pursuant to this article may be enforced by the municipal judge pursuant to Section 13-10-112(2), C.R.S. The fees of witnesses for attendance at hearings shall be the same as the fees of witnesses before the district court, such fees to be paid when the witness is excused from further attendance. When the witness is subpoenaed by the Finance Director, such fees shall be paid in the same manner as other expenses under the terms of this article. When a witness is subpoenaed by any party to such proceeding, the Finance Director may require that the cost of service of the subpoena and the fee of the witness be borne by the party at whose insistence the witness is summoned. In such case, the Finance Director, at his or her discretion, may require a deposit to cover the cost of such service and witness fees. A subpoena issued as aforesaid shall be served in the same manner as a subpoena issued by a court of record.
- (b) The municipal judge, upon the application of the Finance Director, may compel the attendance of witnesses, the production of books, papers, records or memoranda and the giving of testimony before the Finance Director or duly authorized hearing officers, by an action for contempt, or otherwise, in the same manner as production of evidence may be compelled before the Court.

**Sec. 4-314. Depositions.**

The Finance Director or any party in an investigation or hearing before the Finance Director may cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in courts of this state and to that end compel the attendance of witnesses and the production of books, papers, records or memoranda.

**Sec. 2-315. Statute of limitations.**

- (a) Except as otherwise provided in this section, the taxes for any period, together with interest thereon and penalties with respect thereto, imposed by this article shall not be assessed, nor shall notice of lien be filed or distraint warrant be issued or suit for collection be instituted, or any other action to collect the same be commenced, more than two years after the date on which the tax was or is payable. Nor shall any lien continue after such period, except for taxes assessed before the expiration of such two-year period, notice of lien with respect to which has been filed prior to the expiration of such period.
- (b) In case of a false or fraudulent return with intent to evade taxation, the tax, together with interest and penalties thereon, may be assessed or proceedings for the collection of such taxes may be commenced at any time.
- (c) Before the expiration of such period of limitation, the taxpayer and the Finance Director may agree in writing to an extension thereof, and the period so agreed on may be extended by

subsequent agreements in writing.

**Section 2. Effective Date.** This ordinance shall be published and shall not take effect unless and until a majority of the registered voters voting at the November 6, 2007 regular general vote in favor of the adoption of this lodging excise tax.

**Section 3. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town Board hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentence, clauses or phrases are declared invalid.

**Section 4. Repealer.** All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof, in conflict with this ordinance are to the extent of such conflict hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS  
14<sup>th</sup> DAY OF June, 2016.**

**ATTEST:**

By \_\_\_\_\_  
Meghan C. Martinez, CMC, Town Clerk

**TOWN OF FREDERICK**

By \_\_\_\_\_  
Tony Carey, Mayor



# TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak Trustee  
Rocky Figurilli, Trustee

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## Appointment of a Representative from the Weld County Commissioners to the Frederick Urban Renewal Authority

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**Agenda Date:** Town Board Meeting – June 14, 2016

**Attachments:** a. Resolution 16-R-42

**Finance Review:**

\_\_\_\_\_  
Finance Director

**Submitted by:**

  
\_\_\_\_\_  
Town Manager

**Approved for Presentation:**

  
\_\_\_\_\_  
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

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**Summary Statement:**

The resolution presented will appoint Steve Moreno as a voting member to the Frederick Urban Renewal Authority.

**Detail of Issue/Request:**

As required to be in compliance with HB15-1348 the Town is required to appoint a recommended elected school board member, county commissioner, and a special district board member to the Frederick Urban Renewal Authority. Notices were sent to each of these districts and the county requesting a recommendation. The Weld County Commissioners support the appointment of Steve Moreno a Weld County Commissioners Board Member for appointment to the Frederick Urban Renewal Authority. Accordingly, the resolution presented will make this appointment official.

**Legal Comments:**

Built on What Matters.



The resolution presented was drafted by FURA's attorney to comply with HB15-1348.

**Alternatives/Options:**

Not applicable-this recommended appointment is made by the Weld County Commissioners to the Town of Frederick.

**Financial Considerations:**

Not applicable.

**Staff Recommendation:**

Staff recommends approval of the resolution as presented.

**TOWN OF FREDERICK, COLORADO**

**RESOLUTION NO. 16-R-42**

**A RESOLUTION RATIFYING, CONFIRMING, AND CERTIFYING THE  
APPOINTMENT OF A WELD COUNTY COMMISSIONER TO THE BOARD OF  
COMMISSIONERS OF THE FREDERICK URBAN RENEWAL AUTHORITY**

WHEREAS, HB 15-1348 amended §31-25-104(2)(a)(I), C.R.S., to provide that the Board of Commissioners of Weld County must appoint one member of the Board of Commissioners of the Frederick Urban Renewal Authority; and

WHEREAS, the Board of Commissioners of Weld County has appointed Steve Moreno to serve on the Board of Commissioners of the Frederick Urban Renewal Authority,

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF  
FREDERICK, COLORADO AS FOLLOWS:**

**Section 1.** The appointment of Steve Moreno to the Board of Commissioners of the Frederick Urban Renewal Authority in accordance with the requirements of HB 15-1348 by the Board of Commissioners of Weld County, Colorado, for a term of five years from and after the date of such appointment by the Board of County Commissioners is hereby ratified, confirmed, and certified.

**Section 2.** The Mayor shall file this resolution with the Town Clerk, which resolution shall serve as the official certificate of appointment of Steve Moreno to the Board of Commissioners of the Frederick Urban Renewal Authority in accordance with §31-25-104(2)(b), C.R.S.

**INTRODUCED, READ, PASSED, AND SIGNED THIS 14<sup>TH</sup> DAY OF JUNE, 2016.**

**ATTEST:**

**TOWN OF FREDERICK**

By \_\_\_\_\_  
Meghan C. Martinez, Town Clerk

By \_\_\_\_\_  
Tony Carey, Mayor



# TOWN OF FREDERICK BOARD OF TRUSTEES ACTION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak Trustee  
Rocky Figurilli, Trustee

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## Appointment of a Representative from the St. Vrain Valley School District to the Frederick Urban Renewal Authority

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**Agenda Date:** Town Board Meeting – June 14, 2016


**Attachments:**

- a. Resolution 16-R-43
- b. Email from SVVSD


**Finance Review:**

\_\_\_\_\_  
Finance Director

**Submitted by:**

  
\_\_\_\_\_  
Town Manager

**Approved for Presentation:**

  
\_\_\_\_\_  
Town Manager

☐ Quasi-Judicial

☐ Legislative

☒ Administrative

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**Summary Statement:**

The resolution presented will appoint Amory Siscoe as a voting member to the Frederick Urban Renewal Authority.

**Detail of Issue/Request:**

As required to be in compliance with HB15-1348 the Town is required to appoint a recommended elected School Board Member, County Commissioner, and a Special District Board Member to the Frederick Urban Renewal Authority from each of the respective entities. Notices were sent to each of these districts and the county requesting a recommendation. The St. Vrain Valley School District and the Fort Lupton School District collaborated on an appointment, and Amory Siscoe a St. Vrain Valley School District Board Member has been selected by the school districts for appointment to the Frederick Urban Renewal Authority. Accordingly, the resolution presented will make this appointment official.

**Built on What Matters.**

**Legal Comments:**

The resolution presented was drafted by FURA's attorney to comply with HB15-1348.

**Alternatives/Options:**

Not applicable-this recommended appointment is made by the school districts to the Town of Frederick.

**Financial Considerations:**

Not applicable.

**Staff Recommendation:**

Staff recommends approval of the resolution as presented.

**TOWN OF FREDERICK, COLORADO**

**RESOLUTION NO. 16-R-43**

**A RESOLUTION RATIFYING, CONFIRMING, AND CERTIFYING THE  
APPOINTMENT OF A REPRESENTATIVE OF SAINT VRAIN VALLEY SCHOOL  
DISTRICT RE-1J TO THE BOARD OF COMMISSIONERS OF THE FREDERICK  
URBAN RENEWAL AUTHORITY**

WHEREAS, HB 15-1348 amended §31-25-104(2)(a)(I), C.R.S., to provide that an elected member of a board of education of a school district levying taxes within the boundaries of “the urban renewal authority area” described in HB 15-1348, must be appointed as a member of the Board of Commissioners of the Frederick Urban Renewal Authority; and

WHEREAS, Amory Siscoe is an elected member of the Board of Education of Saint Vrain Valley School District RE-1J and has been appointed to serve on the Board of Commissioners of the Frederick Urban Renewal Authority,

**BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF  
FREDERICK, COLORADO AS FOLLOWS:**

**Section 1.** The appointment of Amory Siscoe to the Board of Commissioners of the Frederick Urban Renewal Authority to serve as a representative of school districts that levy taxes in the urban renewal authority area in accordance with the requirements of HB 15-1348 for a term of five years from and after the date of such appointment by the relevant school districts is hereby ratified, confirmed, and certified.

**Section 2.** The Mayor shall file this resolution with the Town Clerk, which resolution shall serve as the official certificate of appointment of Amory Siscoe to the Board of Commissioners of the Frederick Urban Renewal Authority in accordance with §31-25-104(2)(b), C.R.S.

**INTRODUCED, READ, PASSED, AND SIGNED THIS 14<sup>TH</sup> DAY OF JUNE, 2016.**

**ATTEST:**

**TOWN OF FREDERICK**

By \_\_\_\_\_  
Meghan C. Martinez, Town Clerk

By \_\_\_\_\_  
Tony Carey, Mayor

## Matt LeCerf

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**From:** Steege, Barb <steegen\_barb@svvdsd.org>  
**Sent:** Thursday, May 12, 2016 7:14 AM  
**To:** Matt LeCerf  
**Cc:** Amory Siscoe; Bob Smith; Don Haddad; jhoag@weld8.org; Wendy Faulhaber; Terry Schueler  
**Subject:** FURA Board Representation

Good morning, Matt

This email will serve as a response to your letter of March 22, 2016 to both the Ft. Lupton Weld RE-8 School District and the St. Vrain Valley School District RE-1J asking for a Board of Education member to join your Frederick Urban Renewal Authority Board (FURA), per HB 15-1348.

Our Board Assistant Secretary/Director District G, Amory Siscoe, that serves the Frederick/ Firestone/ Dacono area has agreed to serve on the FURA Board.

I have been in contact with Ft. Lupton Superintendent John Hoag and his Executive Assistant Wendy Sarazen-Faulhaber so that they are aware of this as well.

Please include Amory and I in the distribution list that will give information on the day/time/location of the FURA Board meetings. Amory can be reached at [siscoe\\_amory@svvdsd.org](mailto:siscoe_amory@svvdsd.org) and phone number [303-242-4327](tel:303-242-4327).

If you have any questions, please don't hesitate to call or email.

St. Vrain Valley School District RE-1J  
395 South Pratt Parkway  
Longmont, CO 80501  
Office: [303-682-7292](tel:303-682-7292) (57292)  
Cell: [720-438-1911](tel:720-438-1911)  
Fax: [303-682-7422](tel:303-682-7422)  
[steegen\\_barb@svvdsd.org](mailto:steegen_barb@svvdsd.org)

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*"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel." ~Maya Angelou*



# TOWN OF FREDERICK BOARD OF TRUSTEES INFORMATION MEMORANDUM

Tony Carey, Mayor

Laura Brown, Mayor Pro Tem  
Fred Skates, Trustee  
Salvatore "Sam" DeSantis, Trustee

Rafer Burnham, Trustee  
Donna Hudziak, Trustee  
Rocky Figurilli, Trustee

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## DISCUSSION: MONTHLY SOLID WASTE FEE INCREASES

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**Agenda Date:** Town Board Meeting – June 14, 2016

**Attachments:** a. Analysis of Rate Options.

**Submitted by:**

  
Town Manager

**Approved for Presentation:**

  
Town Manager

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### **Detail of Issue/Request:**

At a recent work session, the Town Board discussed a variety of fees. One of the fees for consideration by the Board is to increase is the solid waste fees. During this discussion, the Board provided feedback on some of the services that they would like to see, specifically related to the clean-up days. Accordingly, moving forward, the Town will plan again to have unlimited dump off of material provided they are Frederick residents. Discretion will be to the staff though to deny certain services if it appears that people are taking advantage of the service and utilizing it for profit. Also, once a year, the clean-up day will also include the disposal of electronics. A review of the past three events for this service has cost the Town an average of \$7,115.00.

The Town began its final year of a multi-year agreement for solid waste services with Waste Connections. The service that has been provided include weekly solid waste pick-up with a bi-weekly recycling pick-up. Some of the benefits of this centralized system includes:

- A reduction in the number of heavy trucks on our residential roadways
- A more attractive curb appeal by having areas with cans out on the streets during designated days
- Leverage costs based on town-wide volume to control and keep costs low for the customer

Listed are neighboring community costs on a monthly basis based on a 96 gallon container:

- City of Dacono \$10.00
- City of Thornton \$13.50
- City of Longmont \$18.23

**Built on What Matters.**

- City of Loveland           \$18.00
- Town of Johnstown       \$9.00 (no recycling service)
- Town of Firestone       ~\$20.00-\$35.00/month (various providers – free market)

At this time, the Town provides solid waste services to 4,000 customers – all residential in the community. Currently our rates to the customer for trash services are \$11.45 on a monthly basis. Effective May 1, our new rate charged by the contractor to the Town is \$11.61 per household, monthly.

The change in rate, when compared to our current costs to the customer, will result in a negative fund balance for this operation, if our rate remains the same. In order to continue to provide a balanced service, cover the administrative costs, and include the electronic service our customers enjoy during the clean-up day, increasing the fees is necessary.

During the May 3, 2015 work session, the fee structure was discussed. While staff suggested a rate increase to \$12.45, other alternatives suggest by the Board were higher, ranging from \$12.85 - \$13.00. Assuming this fee would go into effect in the August billing, attached are estimated revenues for the services when compared to the costs based on various scenarios. This positive cash flow does not take into account the different fiscal years that apply in the estimates, but they do allow each year to end with a balanced line item for this service. Any additional revenues on a year to year basis would go directly toward road maintenance in the community.

Based on the provided rates to consider, staff is looking for clear direction on a new rate for the Board to consider at the next Board meeting.

#### **Alternatives/Options:**

While alternatives are presented in the revenue analysis, the Board has complete discretion to choose another alternate for this service or to leave the price at its current rate.

#### **Financial Considerations:**

By providing a service of this nature to the citizens, it is best if it is sustainable based on its cost for services.

#### **Staff Recommendation:**

Staff is requesting feedback and direction from the Board to present a change at the next Board meeting. Based on the long-term outlook and the desire to change rates as infrequently as possible while also keeping the rate manageable for the customer, staff suggests increasing the fee to \$12.85/month.



## Solid Waste Fee Options 2016

[illegible]